

Atty Dkt. No.: 10010186-3
USSN: 10/798,982

REMARKS

At Page 10 of the Office Action dated February 18, 2005, the Office provisionally rejected Claims 22-41 under the judicially created doctrine of obviousness type double patenting over claims 7, 9, 10, 13-14, 16, 18-19 and 23 of priority co-pending application No. 09/848,869. Applicants do not acquiesce to the validity of the rejection. However, applicants wish to expedite prosecution. Accordingly, applicants have attached hereto a Terminal Disclaimer which renders the rejection moot.

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CONCLUSION

Applicants submit that all of the claims are in condition for allowance, which action is requested. If the Examiner finds that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone Tim Joyce at (650) 485-4310.

The Commissioner is hereby authorized to charge any underpayment of fees associated with this communication, including any necessary fees for extensions of time, or credit any overpayment to Deposit Account No. 50-1078.

Respectfully submitted,

Date: May 17, 2005

By: 

Bret Field
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cnc;
Terminal Disclaimer over 09/848,869

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